

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS – EASTERN DIVISION**

AL CAPONE DISTRIBUTING, INC.,

Plaintiff,

v.

C.H. ROBINSON WORLDWIDE, INC.,

Defendants.

No. 08 C 4419

Hon. Virginia M. Kendall

**NOTICE OF MOTION**

TO: Joel H. Steiner, Esq., Axelrod, Goodman, Steiner & Bazelon, 39 South LaSalle Street  
Suite 920, Chicago, Illinois 60603

PLEASE TAKE NOTICE that on the 27th day of August, 2008, at 9:00 a.m. or as soon thereafter as we may be heard, we shall appear before the Honorable Judge Kendall, or such other Judge as may be holding court in his absence, in the courtroom usually occupied by him, Room 2319 at the United States District Court for the Northern District of Illinois – Eastern Division, 219 South Dearborn Street, Chicago, Illinois for hearing on a **Motion to Remand**, a copy of which is attached hereto, at which time and place you may appear if you so desire.

SHEARER & AGRELLA

By: /s/ Raymond F. Agrella  
Raymond F. Agrella, Attorney for Plaintiff

**PROOF OF SERVICE**

Under penalties of perjury, as provided by law, pursuant to Section 1-109 of the code of Civil Procedure, the undersigned certifies that she deposited a copy of the foregoing in a United States Post Office Box in the City of Barrington, Lake County, Illinois, with United States postage fully prepaid thereon, on the 22nd day of August, 2008, enclosed in a sealed envelope, addressed as listed above.

Raymond F. Agrella  
**SHEARER & AGRELLA**  
4N701 School Road  
St. Charles, IL 60175  
(630) 584-3142  
Attorney Reg. 20818

/s/ Raymond F. Agrella  
Raymond F. Agrella, Attorney for Plaintiff